IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7921 of 2007()

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CC.1359/2005 of J.M.F.C.-I, KOLLAM

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PETITIONER/ACCUSED:

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P. BALAKRISHNAN, S/O. AMMU,
AGED 43 YEARS, PERIYADKA HOUSE, P.O. SIRIBAGILU,
KASARGOD.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS: STATE:

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THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. K.MOHANAN, J.

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BAIL APPLICATION NO.7921 of 2007-A

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Dated this the 24th day of December, 2007.

**O R D E R**

In this petition filed under Sec. 438 Cr.P.C. the petitioner prays for a direction to the Magistrate to dispose of his application for regular bail.

2. The learned Public Prosecutor opposed the application.

3. Consequent on the non-appearance of the petitioner in C.C.1359/2005 before the J.F.C.M.-I, Kollam, non-bailable warrant of arrest is pending against the petitioner. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed bearing in mind the decision in **Sukumari v. State of Kerala - 2001 (1) KLT 22.**

With the above observation this Application is disposed of .

**V.K.MOHANAN, JUDGE**

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